REMARKS

Claims 11-24 are pending in the application.

Claims 11-24 had been rejected.

Claims 13-14 and 20-21 have been amended.

No new matter has been added.

Reconsideration of the Claims is respectfully requested.

1.   Rejection under 35 USC § 112, ¶ 2

The Office Action rejected claims 13-14 and 20-21 under 35 U.S.C. § 112, second paragraph, as being allegedly indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The Office Action stated that the claim scope was uncertain since a trademark or trade name cannot be used properly to identify any particular material or product.

Applicant appreciates the Examiner's input with respect to clarifying language. Appropriate correction has been made, and Applicant respectfully requests the rejection to these claims be withdrawn.

2.   Rejection under 35 USC § 102

For establishing anticipation, "[a] claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. . . . The identical invention must be shown in as complete detail as is contained in the . . . claim." MPEP § 2131 at p. 2100-73 (Rev. 3, August 2005) (citations omitted).

Claims 11, 15, 17-18, 22, and 24 were rejected under 35 U.S.C. §102(b) as being unpatentable over U.S. Patent No. 5,854,621 by Junod et al. ("Junod").

Junod recites a "radio frequency, wireless video display cursor pointing devices such as mice or trackballs." (Junod Col. 1:15-16). The mice or trackball devices of Junod "includes unidirectional communication between the mouse and the receiver." (Junod Col. 2:63-64). Applicant respectfully points out that Junod does not provide a configuration operation with its wireless video display cursor point devices. Also, Junod does not recite servicing of a video display cursor point device during a subsequent boot mode operation. Instead, the device of Junod provides for the passing of pointer device identification with message reports.

The host adapter of Junod, on power-up "first detects what type of interface 610 it is using to communicate with the host system 30, i.e. serial or PS/2." (Junod Col. 8:28-31). The unidirectional

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transmission mouse communicates with the host adaptor 20 via reports, in which there are "three types of reports . . . displacement and switch information reports, status reports, and channel change request reports." (Junod Col. 7:31-34). Following the determination of its interface type with the host system, "the CPU [of the host adaptor 20] determines the correct [mouse] identification code by latching onto the *identification code in the first received report* and storing it in the [host adaptor] EEPROM 620." (Junod Col. 9:12-15).

Though Junod recites that this "identification code is . . . stored in the EEPROM 620 so that it may be provided to the CPU 600 at a subsequent power up," (Junod Col. 9:24-26), Junod does not proffer that its device identification constitutes configuration information used in servicing its wireless device during a boot mode operation. The device identification code of Junod relates to identifiers within communications between its host adapter and its wireless device. That is, Junod does not recite, as set out in Applicant's claimed invention that, "during a subsequent boot mode operation, the configuration information . . . is used in servicing the at least one wireless user input device."

Further, it is respectfully submitted that power up modes of Junod are not configuration modes and/or subsequent boot modes. Channel selection (or "configuration") under Junod requires information from the user (or default values), not from the wireless device. For example, the "default value in the [wireless device] EEPROM 340 can be altered by the user by pressing the channel selector button 400. The new channel information will be stored in the [wireless device's] EEPROM 340 for the next wake-up . . . or power up of the mouse." (Junod Col. 6:3-8). It follows that the channel selection for the adapter host 20 is similarly selected.

The power up operations for the Junod adapter device 20 relates to "the host adapter's EEPROM 620 [providing] information to the [adapter] CPU 600 and the PLL circuitry . . . , such as the correct mouse identification code to look for in the data reports. . . . Next, [however,] the [adapter] CPU 600 programs the PLL 630 with the *initial receiver frequency information*." (Junod Col. 8:24-38). That is, the wireless device receiver frequency in Junod is not "configuration information from the at least one wireless user input device," but instead appears to rely upon either default configurations or user applied configurations.

In contrast, Applicant's claim 11 recites, *inter alia*, a "host-side wireless interface that services a host computer and at least one wireless user input device, the host-side wireless interface comprising: a host interface that operably couples to the host computer; . . . a wireless network interface operably coupled to the

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processing unit and to the host interface that wirelessly couples the host-side wireless interface to the least one wireless user input device; wherein *during a configuration operation*, configuration information from the at least one wireless user input device is stored in the non-volatile memory and is also transferred to the host computer via the host interface; and *during a subsequent boot mode operation*, the configuration information is retrieved from the non-volatile memory and *used in servicing the at least one wireless user input device.*" (emphasis added).

Also, Applicant's Claim 18 recites, *inter alia*, a "computer system comprising: a host computer; at least one wireless user input device; and a host-side wireless interface that includes: a host interface that operably couples to the host computer; a processing unit operably coupled to the host interface; . . . and a wireless network interface operably coupled to the processing unit and to the host interface that wirelessly couples the host-side wireless interface to the least one wireless user input device; wherein *during a configuration operation*, configuration information from the at least one wireless user input device is stored in the non-volatile memory and is also transferred to the host computer via the host interface; and *during a subsequent boot mode operation*, the configuration information is retrieved from the non-volatile memory and *used in servicing the at least one wireless user input device.*" (emphasis added).

Accordingly, Applicant respectfully submits that each and every element as set forth in its Claim 11 and Claim 18, as for example the underlined portions, is not found in Junod. Applicant submits that Independent Claim 11 and Claims 12-17 that depend therefrom, and Independent Claim 18 and Claims 19-24 that depend therefrom, are allowable. Applicant respectfully requests withdrawal of the rejections to these claims.

3.   Rejection under 35 USC § 103

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure. MPEP § 2142, p. 2100-134 (Rev. 3, May 2005) (citations omitted).

The Office Action rejected claims 11-24 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,782,245 by Lazzarotto et al. ("Lazzarotto") in view of Junod.

Lazzarotto recites "a communication hub that couples a wireless peripheral with a universal serial bus (USB) configured device. The USB configured device may be, for example, a USB-enabled host computer system. The communication hub includes a wireless peripheral interface." (Lazzarotto Col. 2:41-45).

Claims 12 through 17 depend from Independent Claim 11. Claims 19 through 24 depend from Independent Claim 18. In that Junod does not provide a basis for anticipation of Applicant's Independent Claim 11 and Independent Claim 18, the inclusion of the hub-device of Lazzarotto does not provide the elements lacking in Junod such that the hypothetical combination still does not provide teach or suggest all of Applicant's claim limitations.

Accordingly, Applicant respectfully submits that a *prima facie* case of obviousness has not been established, and that its Independent Claim 11 and Claims 12-17 that depend therefrom, and its Independent Claim 18 and Claims 18-24 that depend therefrom, are allowable. Applicant respectfully requests withdrawal of the rejections to these claims.

4.   Conclusion

As a result of the foregoing, the Applicant respectfully submits that Claims 11-24 in the Application are in condition for allowance, and respectfully requests an early allowance of such Claims.

If any issues arise, or if the Examiner has any suggestions for expediting allowance of this Application, the Applicant respectfully invites the Examiner to contact the undersigned at the telephone number indicated below or at *ksmith@texaspatents.com*.

The Commissioner is hereby authorized to charge any additional fees connected with this communication or credit any overpayment to Garlick Harrison & Markison Deposit Account No. 50-2126 (BP 2859).

Respectfully submitted,

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